THE STATE SALARY

Attorney-General Breeden Compiles What

He Thinks Was the Intention of the

Framers of the Constitution.

the request that it be published:

There is a misapprehension, and

consequently many misstatements, as

to the intention of the framers of our

constitution, respecting the saiaries of

state officers, and the power of the

legislature to raise or lower them, dur-

ing the terms for which they were

elected. The people ought to know the

facts. Conclusions hastily formed are

often erroneous. Therefore without

discussing, or giving my opinion of the

legal effect of the constitutional pro-

vision affecting state officers' galaxies.

wheh has furnished such abundant

food for the newspaper writers and artists of the city.
"I will present the views which

seemed to prevail, concerning this sub-tect, among the members of the con-

vention. Its whole tenor was in favor of adjusting small salaries to begin

with for fear that large or even reasonable salaries would scare the people

constitution. In order to correctly ac-

cussed, Mr. Squires made the following

IN THE CONVENTION.

"Mr. Chairman: I want to call the

attention of the convention and especially Mr. Hart to the fact that the compensation now provided will only be

during the pleasure of the legislature. The first legislature may change it.

These figures are put in here for the first term. It might not last more than

upon him, it will be their duty to raise

duties that are imposed on the officer

In the further discussion of the sal-

ary of the attorney general, Mr. Varian

said, inter alia, in speaking of one who

might be elected outside of Salt Lake City, "he would certainly have to de-

pend alone on his salary for his first

term. Now if the legislature should im-

pose additional duties upon him, still

the intention, as I understand it, to

cumbent; all of those things ought

Proc. Con. Conv.

be considered of course." Page 1029

suggestion made by the gentlemen, which had not occurred to me before,

that a salary could not be changed, would it not be better in this conven-

the increased duties that they may im-

Mr. Chairman, it occurs to me

Mr. Varian: "Well, I do not know,

In discussing the salary for superin-

Mr. Thurman said: "In view of the

by law."-Page 1028, Proc. Con. Conv.

salary in accordance with the

extra duties

remarks:

PERRY HEATH'S BANK SUSPENDS.

Seventh National of New York Closes -Mr. Heath, Now in Salt Lake, Talks to the Deseret News.

National bank was closed at 10:45 today, when the following notice was posted on its doors;

"This bank is in the hands of the comptroller of the currency.
"FOREST RAYNOR,
"National Bank Examiner."

At the same time William Nelson Cromwell, the bank's attorney, gave

out the following statement; "In justice to the depositors and stockholders of the Seventh National bank, William Nelson Cromwell, the bank's attorney, has advised the bank

to suspend payment. This action was taken after a protracted conference in the directors' room of the bank which was participated in by the new president, Edward R. Thomas, ex-President William H. Kimball, Edwin Gould, Lorenzo Semple, who is one of the directors, and

several other members of the board. The statement of the Seventh National bank for the week ending June 22, 1901, to the clearing house was as follows: Capital, \$376,600; net profits, \$234,400; loans, \$4,407,100; specie, \$557,-700; legal tender, \$777,700; deposits, \$5,-712,400; per centage of reserve 23 4-10, After the suspension of the bank the

following statement was made at the clearing house:

DEBTOR FOR \$644,108.95.

At the clearing house this morning the Seventh National bank came in debtor 3644,108.95. The clearing house committee has been in session since \$1.50 awaiting the results of the clearing. When it was found the debit balance was so heavy the committee communicated with the officers of the bank and was informed that the board of directors was in session, and that a decision would be arrived at within fifteen or twenty minutes as to the action of the bank. In consequence of this statement, the clearings were held back thirty minutes. At 10:45 a, m. Mr. Nelson Cromwell, Mr. Edwin Gould and Mr. Thomas, president of the bank, came into the clearing house and informed the committee that in view of their heavy debit balance and for other reasons it was considered wise that the bank should temporarily The clearing house commit tee thereupon directed the manager of that institution to eliminate from the clearings all operations of the Seventh

National bank. A member of the clearing house committee says that at this morning's meeting the name of no institution other than the Seventh National bank was

The Seventh National bank was the custodian of the funds of the New York postoffice. Assistant Postmaster

Morgan said: "The post office is amply protected. When the account was opened the bank put up \$250,000 in government bonds as office's account with the bank I do not know, but I am investigating it.' At 11:20 o'clock the officials of the

embarrassed bank posted the following Checks drawn by the Manhattan state hospital will be paid at the Chase National bank. Drafts drawn by the St. Lawrence County bank, Canton, N. will be paid at the Chase National

Among the institutions having close ousiness relations with the Seventh National was the stock brokerage firm of Marquand & Co. Frank B. Poor, of he firm, made the following statement after the bank's suspension.

From the outlook just now I think we are going on. At the same time we Just now everything is uncertain in the business world, but I be-lieve we will get through."

The Seventh National bank was orignally the old Seventh Ward bank and was established in 1833. For a long time control of the institution was held by John A. McInerny, a southerner, who was president of the bank. In May, 1898. First Assistant Postmaster Perry Heath practically acquired a control-ing interest in the stock of the Seventh and on July 4 Wm. H. Kimball resigned as national bank examiner to become president of the Seventh, several changes in the directorate being made the same time. Josiah Quincy, of eston, was one of the directors elected

On August 2, 1899, Mr. McAnerny, resigned the presidency and Vice President Kimball was chosen in his stead. Fletcher S. Heath was elected vice

The officers and directors are as fol-E. R. Thomas, president; Fletch er S. Heath, vice president; George W. Adams, cashier. Directors-George W. Adams, Eugene Bissell, Thomas M. Boyd, Fletcher S. Heath, Perry S. Heath, Erskine Hewitt, Wm. H. Kim-ball, Alexander McDonald, Guy G, Major, Wm. P. Orr, Josiah Quincy, Frank H. Raney, John A. Sullivan, W. \$7,668,265.

ONLY A RIPPLE ON WALLSTREET. Later it was learned from an authoritative source that the bank has on deposit \$207,000 of postal funds, all of which is amply secured by bonds.

New York, June 27 .- The Seventh | The announcement of the suspension caused only a ripple in the stock mar-ket. The first selling of stocks which followed the announcement of the sus-pension interrupted a recovery in prices and caused a re-action of 1 to 2/2 points in some of the principal stocks. The offering of large sums stocks. The offering of large sums of money on the exchange at 6 per cent and large buying orders placed in the market rallied prices and left the stock market dull but somewhat feverish un-

> In banking circles it was said that the Seventh National's heavy debit balance today was the result of the news of the bank's embarrassment on Tuesday being telegraphed through-out the country. Interior institutions having money deposited with the Seventh drew on the bank and these drafts, all coming in at the same time, were too much for the institution.

> The suspended institution is in the hands of the comptroller of the currency, who has appointed Forest Raynor as temporary receiver. Mr. Ray-nor's examination of the loans of the bank is understood to have proved that the collateral back of them was

weak in some instances.

The objection of the bank examiner to these collateral securities is said to have decided Mr. Cromwell to advise the suspension.

President Cakley Thorn, of the North American Trust company, which had some business relations with the Seventh National, said his corporation was not in any way affected by the suspen-sion of the Seventh National. When asked as to the effect of the failure, be

"I don't know anything about any concern except our own and that, I can assure you, is all right. If any one asks reference on the subject I can recommend him to the state bank examiner. His statement will, I wn sure, be taken. I know there are rumors connecting me with the trouble of the Seventh National, but they are merely rumors. I am happy to say we are all

TO REOPEN IN EIGHT DAYS. Another director said that the bank would be reopened in eight days. Advertisements were printed in the afternoon papers offering to buy Seventh National bank stock. The offer was made by a broker who said he was act-

ing for Gen. Thomas. State Superintendent of Banks Kill burn this afternoon had a consultation with Bank Examiner Rayner at the Seventh National. He said he had consulted with Mr. Raynor for the purpose of ascertaining whether any other bank was involved and also that he was satisfied this was not the case.

COMPTROLLER DAWES TALKS.

Washington, June 27.-Comptroller Dawes today ordered the closing of the Seventh National bank of New York and appointed Forest Raynor bank examiner, temporary receiver. Later the comptroller made the following state-

Comptroller Dawes stated that on Tuesday he received word from the na-tional bank examiner that Henry Marquand & Company had recently become indebted in a sum approximating \$1, 600,000 to the Seventh National bank of New York which was secured by colceipts on Wednesday of further infornation regarding the nature of the collaterals securing this loan he sent telegram to Mr. E. R T.homas, presi dent of the Seventh National bank as

"'I have just received information from the national bank examiner that Marquand & Company loans of large amount in your bank approximating \$1,600,000. Unless promp y and satisfactorily assured that this loan will be taken up and cash there fore put into the bank by Saturday night, June 29. I will appoint a receiver the bank. Please confer with your board of directors and announce this to

"In explanation of the conditions imposed, the comptroller stated that while advances had been made by the directors to the bank, they had been made upon the credit of good securities owned by the bank, but that no such advances affected the bank's solvency while the Henry Marquand paper remained. It was necessary therefore for him in the performance of his duty to promptly mpose these conditions, before further withdrawals of deposits were made The comptroller stated that the quand loan is partially secured, and it is hoped that the loss to the depositors

will not be large. The following is the statement of the resources and liabilities of the Seventh National of New York, as shown by report of its condition at the close of business April 24, 1901;

LIABILITIES. Capital stock, \$300,000; surplus and undivided profits, \$2334,406; circulation outstanding, \$298,500; due to trust com to national banks and bankers, \$974,210: individual deposits, \$5,238,038; United States deposits, \$210,383. Total liabilities,

RESOURCES.

Loans and discounts, \$2,767,179; stocks securities, claims, etc., \$133,332; States bonds and premiums, \$571,474; banking house, \$5,000; cash on hand and with other banks, \$4,191,279. Total resources, \$7,668,265 .

PERRY S. HEATH IS SURPRISED.

Tells the Deseret News That Conditions Were All Right When He Left New York Four Weeks Ago.

Hon. Perry S. Heath on being shown | a meeting of the directors of the Sevthe substance of the above report by a enth National bank. At that meeting News" man smiled and said, "I don't know what it is all about. I positively the capital stock was augmented from can't understand the origin of these \$300,000 to \$500,000. We also took a fifty sensational reports respecting our bank. year lease on a new skyscraper that ed since 1867, the year Emperor Max-Why, it hasn't been over four weeks is going up on the next square from imillion was shot, are thus formally re-

the surplus of the bank was increased from \$100,000 to \$300,000 and \$500,000, and since I was in New York and attended where the bank now stands. This last established.

move was made imperative because we haven't room enough to carry on the

business of the bank. I certainly do

not regard those as symptoms of an impending failure. "This morning I received a telegram from my brother, Fletcher Heath, who is a director of the bank, assuring me that there was nothing in the reports reflecting on the credit of the bank; that it was as strong as it ever was. A little later an associated press man earne in and thrust one of the above dispatches in my face and asked me how about it; but I could only tell him what I have told you—that I do not understand what it is. While my faith in the hand is mystaken it is to the country of the country the bank is unshaken it is possible tha unforseen complications might hav arisen and I have telegraphed my broth er for full particulars, but have received no word yet. The bank is on of the oldest in New York city, having been founded in 1833, and is backed by several millionaires, including Edwir Gould. There may be conditions that do not understand, but so far as I can see I know of no reason why the bank should suspend payment."

WOMEN AT PRESTON.

Members of the Relief Society of Dneida Stake, Idaho, held a conference n the Stake academy building at Preston on Monday, at which Presiden; Parkinson and counselors of the Stake and many of the Bishops were present. Mesdames Eineline B. Wells, Sarah J. Cannon and Lydia D. Alder of Salt Lake were in attendance, the latter having recently returned from England There was splendid singing and a enjoyable time was had by the ladies Mrs. Parkinson, wife of the presiden of the Stake, was elected second counselor of the Stake society.

THE STORY OF A TELEGRAM. Was Not Delivered as Directed and \$29,750 Damages Wanted.

The case of Mosby, Kimball and Germaine against the Western Union Telegraph company was tried this morning before Judge Marshall and jury in the Federal court. The case is a suit to recover \$29,750 damages alleged by the plaintiffs to have been sustained by themselves as a result of carelessness on the part of the defendant company in the delivery of a telegram. The tele gram, it is alleged, contained matter of great importance. This telegram was taken to the clerk of the Cullen hotel instead of to the bar keeper, who was to deliver it to either one of the plain-It was kept there for 17 days, causing much loss, it is alleged to the plaintiffs. This morning was spent in the impaneling of a jury and the examination of witnesses for the plain-tiffs, L. H. Goulet, bar-keeper at the Cullen, and Messrs, Mosby, Kimball and Germaine were called to the witness stand and testified as to the importance of the telegram and the sending and receipt of it.

VERDICT FOR EIGHTY CENTS.

The further hearing of the testimony and arguments in the case was contin-ued this afternoon before Judge Marshall. The court found for the plaintiff sum of eigh the telegram. Judge Marshall instructed the jury to render such a de-Court then adjourned until 10 o'clock

J. P. HAYS ARRAIGNED.

Young Man Charged With Forgery Waives Examination. (Special to the "News.")

Ogden, June 27 .- J. P. Hays, the young man who was arrested in Salt Lake Tuesday night on the charge of naving forged the name of the presi lent of the Southern Pacific railroad a ticket over that road, was brough Ogden last night. This morning to Ogden last night. was arraigned before Justice Parket J. Hall on the charge named, but waved examination. He was held in a bond of \$1,000, in default of which he was recommitted to the county jail. The young man claims to be a nephew of President Hays of the Southern Pa-

John McCoygiven was arraigned before Justice Thomas Champneys today. charged with as sult on the person of John Keysor. He was fined \$20 and John Keysor. if costs, making \$30.

McCoygiven, it is said, knocked Key-sor down and trampled upon him, inflicting severe injuries about his ribs.

PENSIONS FOR UTAH PEOPLE.

(Special to the "News.") Washington, D. C., June 27 .- Utah pensions granted, original, William H. Brown, Ogden, \$6. Increase, Henry Jor-

dan, Salt Lake City, \$12. Postmasters appointed: Utah, Lake Point, Tooele county, William S. Moss, vice Emil E. Feller, resigned; Clinton, Utah county, Emma A. Sargent, vice Annie E. Welson, resigned,

Idaho, Three Creek, Owyhee county, Miss Lizzie E. Buncan, vice Miss M. E. Farady, resigned.

HOUSEBREAKER ESCAPES. Taken Out With the Chain Gang Before Arraignment.

In Judge Timmony's court this afternoon the names of Norman Weston and Joseph T. Edwards were called out but Weston failed to respond. The men were arrested yesterday afternoon by Detectives Sheets and Janney on the charge of housebreaking. It was al leged that they broke into Sam Apple man's place on east Second South and stole two pairs of trousers. When Weston failed to answer to his namae it de veloped that this morning he was taken out to work on the chain gang, and when passing Seventh East he became tired of riding and jumping from the wagon made his escape. Guard Busch fired three shots at him, puncturing the atmosphere in three different places. Just why a prisoner who has not been arraigned on any charge should be made to go out with the chain gang has not yet been explained by the offi-cers around police headquarters. It is thought that the mistake was made on account of so many prisoners being in jail at the same time.

Edwards, Weston's partner, declined to enter a plea and his case was con tinued until tomorrow. In default of \$300 he was remanded to the county

DIPLOMATIC

RELATIONS RESUMED.

Vienna, June 27 .- Count Gilbert Hohenwart von Gerlachstein has been appointed Austro-Hungarian minister to Mexico. Diplomatic relations between Austro-Hungary and Mexico, interrupt-

MURDERED BY BLACKMAILERS.

Burned a Womnn to Death to Extort Money.

THEY DEMANDED \$5,000.

Husband Paid No Attention to Threats to Burn His House-Second Letter Ignored, Then Home Fired.

Topeka, Kansas, June 27 .- Horribly penitentiary. burned and dying in intense agony was the fate of Mrs. W. C. Carson, wife of a Cowley county farmer, because her husband refused to deposit \$5,000 in a place named by unknown blackmailers. Three weeks ago Carlson, who is wealthy, received an anonymous note requesting him to bury \$500 at the foot of a certain telephone pole under penalty of having his house burned. The suggestion was ignored. One week later another anonymous note was received stating that if \$5,000 was not de-posited within a week his house would be burned and he would be killed. No attention was paid to the second com-munication and on Saturday night while Mr. Carlson was en route to Med-ford for mall the home was hred. Mrs. Carison was found about ten feet from the ruins by Mr. Dunn, a neighbor, horribly burned and insensible. She was taken home by Mr. Dunn, where she railied enough before dying Sunday to relate her knowledge of the transaction. She rushed outside when she discovered the fire, but remembered some valuable papers and a treasured old violin and tried to save them. From that moment her mind was a blank until she awoke in the home of Mr. Dunn,

LEIPSIGER BANK FAILURE. The Stock and All the Reserve Un-

doubtedly Lost. Berlin, June 27.—It turns out that the report of the Leipzig bank, published yesterday, was misleading. Reliable information shows that the sum of

111,000,000,000 marks, which forms the bulk of assets, includes \$4,000,000 marks company, of which only a small part can be realized upon. The Tageblatt today says the Leip-

ziger bank quite recently advanced another 15,000,000 marks to the Cassell Trebor-Trocknung company, after it was known that the latter was in-Representatives of the leading banks

stock of the Leipziger bank and its reserve, amounting to 63,000,000 marks. are lost. The Dresden hand Leipzig bourse refuses to handle the Leipziger bank stock. The policy of the Leip ziger bank's board of directors has to years been such as to lead to the beief that other arrests on the charge culpable negligence will follow the taking into custody of Herr Exner. The members of the board of directors in-

clude some of Leipzig's wealthiest citi-

This long

zens. The Berlin, Leipzig and Dresden morning papers express the highest in-dignation at the conduct of the Leip-ziger bank directors and demand a searching investigation. The Vos-sischer Zeitung editorially says:

"In view of the whole series of recent failures, it is evident that the present German system of board of directors or trustees urgently requires reforming or abolishing, the latter preferred." LEIPZIGER BANK DIRECTOR AR RESTED.

Leipzig, June 27.—Herr Exner, director of the Leipziger bank which suspended payment Tuesday, June 25, has is investigating the affairs of the bank

BARKER GETS FIVE YEARS. Was Convicted of a Felonious As-

sault on Rev. John Keller. New York, June 27 .- Thomas G. Barker, convicted in the Hudson county court at Jersey City last week of felon-ious assault upon the Rev. John Keller, of Arlington, was today sentenced to five years' imprisonment in the state

A Dead Man's Body Found.

Ponca, Neb., June 27.-The body of a man, supposed to be a cattle buyer named Martin Avres, was found last evening by farmers under a bridge, 16 miles west of here. No money was found on the body, and it is thought the man was held up and murdered.

Considines Charged With Murder.

Seattle, Wash., June 27.-The coroner's jury today rendered a verdict that William L. Meredith was murdered by dine. Detective A. G. Lane has sworn out warrants charging both the Considines with murder,

LIEUT. ED. DOWNES KILLED. Was Slain in Southern Part of Island of Samar.

Manila, June 27.—Lieut. Edward Downes, of the First infantry, and one private of that regiment have been killed in the southern part of the isiand of Samar. Capt. Woodburn, (?), of the Nine teenth infantry, has captured Samson's company in the island of Bohol. Private Kraus, of that regiment, was killed and four men were wounded.

Lieut, Mina McNair has captured 54 insurgents in the northwestern part of the private of Tayabas, island of Lieut.

The Army Register gives the name of Maj. Thomas C. Woodbury, of the Tenth infantry, but does not mention a Capt. Woodbarn.

the province of Tayabas, island of Lu-

Heavy Storms in Prussia.

Berlin, June 27 .- News received here today from Rominten, Prussia, shows that the whole of the Rominten district has been devastated since June 24 by hail storms and cloudbursts. Emperor William's estate at Rominten has been greatly damaged. His majesty today, upon receipt of the news, ordered that speedy relief be sent, and himself fordistributed among the sufferers.

Boers, Attack Richmond. Richmond, Cape Colony, June 27 .- A large force of Boers, commanded by Malan and Smith, attacked Richmond at daybreak June 25. The fighting last-ed until dusk, when the Boers retired on the approach of British reinforce ments.

SALTLAKERSON SEATTLE TRAGEDY

Gambler Considine, Who Shot and Killed Meredith, Had a Brother and Sister in This City-A Notorious Character.

returned from Seattle a couple of weeks ago, were familiar with the facts which led up to the terrible tragedy there last Tuesday afternoon in which ex-Chief of Police W. L. Meredith was shot and killed by John W. Considine, a notorious gambler and grafter. The facts as related by the Salt Lake officers throw an entirely new light on the. affair and shows that a somewhat different state of affairs existed there than given in the Associated Press dis-

When Sheets and Janney were there, the situation was, to say the least, exceedingly tropical and serious trouble was threatened every hour. The investigation into the police affairs by the Law and Order league, which was started by charges made against Meredith by Considine, was in progress at that time. It was fully expected and talked about then that one of the two men would be killed, and according to the statements of Sheets and Janney the sentiment of the business men and in favor of Meredith. Detective Sheets says that he met Meredith the day an exceedingly good chance for they arrived in Seattle, and that Mere-

Detectives Sheets and Janney, who I dith told him what the trouble was and

how it started. "Considine is a gambler of the worst type," said Mr. Sheets, "and had a bad reputation in that town and all through that country. He was a grafter and ran a 'deadfall' variety dive.

'Meredith told me that Considine was jobbing him because he would not alow him to work his nefarious business Meredith had the police raid one of Considine's gives and confiscated whole furniture van full of gambling devices. Considine began to 'job' the chief and finally the pressure became such that Meredith resigned his posi-

'Meredith was one of the finest men I ever met," continued Mr. Sheets, "and

the victim of jobbery."
According to statements made by citizens of Seattle, Meredith had enemies n the council and on the police force ho apparently stood in with Considing Meredich told Detective Sheets that the time would come when there would be blood shed as a man could not always stand to be hounded and Hed about. Some time ago Considine had a brother and sister residing in this city, a gambler and grafter. The officers think judging from the sentiment against Considine in Scattle, he stands an exceedingly good chance for convic-

everybody we talked to about the case sa, a that he was not crooked, but was

M'CUNE MAKES ANOTHER BIG BUY.

Purchases the Interest of the Armstrong Estate in City Railroad -West Temple Extension-McCune Leaves for Perc.

president and director of the Salt Lake City Railroad company in the place of Hon. A. W. McCune, as stated in last night's "News," was one of the principai topics in business circles today. In addition to the particulars given of the meeting it transpires that prior to his resignation Mr. McCune bought the interest of the Francis Armstrong estate, amounting to 2,354 shares of the street car company's stock. Just what figure was paid for them Mr. McCune does not care to make public, but it is said that they changed hands at a consideration in the neighborhood of \$45 per share, or a total of close upon \$106,000. This sale is said to have been consum-mated in a very few minutes on Thursday night while Mr. McCune and W. F. Armstrong were talking on the street about things in general. Mr. Armstrong is said to have stated that he did not care to part with the shares below a certain figure which he named, can now be said to practically own the when much to his surprise Mr. McCune | consolidated lines.

The election of Charles L. Rood as | exclaimed in his characteristic manner of prompt action: "Sold;" and transaction was closed on the spot Work upon the extension of the West Temple street line to the Highland Boy smelter will be commenced at once, when asked this morning why the Salt Lake road proposed building to the smelter, when under the consolidation they would have the Rapid Transit line to Murray, Secretary Wells said that

the company had expectations of get

ting enough revenue out of the line along intermediate points to justify the building of the stretch of track, Hon. A. W. McCune left for New York this morning, from where he will pro-ceed to Peru via Colon, on the Isthmus of Panama. He expects to remain in the South American republic for the next four or five months, looking into the mining propositions in that country. Prior to his departure it is said that he succeeded in securing 96 per cent of

United States Supreme Court. MAY TEST COLORADO LAW.

Chicago, June 27.—In an interview today John W. Springer of Denver, Colo., president of the National Live Stock association, declared it was the intention of his organization to test the constitutionality of the Colorado state law which requires state inspection of live stock notwithstanding a clean bill of health had been granted the federal authorities. He made

Attorney-General Breeden sent the blowing to the "News" today with Legislature meets. If they want to they can change it." Page 1154, Proc. following to the "News" today with

CONTROVERSY.

Judge Goodwin said, among other things, "We are told today that the legislature can fix it. So far, we have been fixing the constitution so the legislature will have no say, and if this is a superior body to what the ordinary legislature of this State is going to be, in God's name, let us fix it so they cannot rob the man entirely and make him pay his own expenses." Page 1155, id. Abel John Evans, here is another able lawyer, clear headed legislator, and an ald-line Democrat. He said, among other things: (Speaking on this same subject): "We provide here, that when the legislature shall meet, they may provide some other salaries for these various officers, but now, in starting out in the beginning of this new State, paint before the coorde with these going before the people with those large salaries, I say that it will be a mistake if we do that." Page 1155, id.

Mr. Fair, another wheel horse in the

emocratic charlot, esaid: "Fix those salaries at a reasonably low figure. This salary can be raised by the next legislature, if they want, that is what it provides for, but if you and possibly result in the defeat of the put it too large to begin with, then it is going to frighten the people. rive at the intention of the members of No, gentlemen, we must pause and consider and start in as we can hold out, and let the legislature fix those matters as it is reasonable." Page 1157, id.

Mr. Abel John Evans speaks again. the constitutional convention, resort must be had to the proceedings of the convention. When the question of the salary of the governor was being dis-

"It seems as though we lose sight of the fact that this paragraph as reported by the committee provides that the legislature may make such changes as they may deem proper. It is not being fixed, it is not as the laws of the Medes and Persians, but we are fixing it now upon trial, which at most, if the legis-lature shall deem advisable to make a change, it will only be for two years. Is it four years? I understand it is not to take effect during their term. I would ask whether that is a fact; whether the treasurer is elected for four years?" Page 1160 id.

one term at the figures named."

No one will question the ability and democracy of Jurge Thurman. In discussing the salary of the attorney general, he said among other things: "This article (VII) also provides that the sal-CONCLUDING COMMENT. aries fixed here shall continue such un-til otherwise provided by law. If the legislature imposes other duties upon I submit the foregoing extracts, taken from the proceedings of the Constien from the proceedings of the Consti-tutional convention, simply for the purpose of advising the people of the sentiment and apparent design of the members of the Constitutional conhim, the same legislature, if they find in their judgment that fifteen hundred dollars is not enough, in consideration ntion, concerning the power con ferred upon the legislature, respecting Judge Varian appears to be the only member of the convention who gave positive expression to any doubts relative to the power of the legislature to fix the salaries of state officers, in acties that the legislature might see fit to impose upon them.

The last legislature passed an act increasing the salaries of the state ofthat legislature cannot increase his compensation during the term for ficers. The authority of the legislature to do so, for the present incumbents, has been questioned. Lawyers differ which he shall be elected, because you prohibit that in this Constitution, that upon this question, as they do upon most questions; some holding to the opinion that the legislature is prohibitprohibit the increasing or diminishing of his salary during the term of the ined from increasing the salaries of the present incumbents, while others hold to the contrary, and rely upon the lat-ter clause of section 20 of article VII of the Constitution, as expressive of the intention of the convention and granting this power to the legislature. The

clause referred to reads as follows "The compensation of the officers provided for by this article until othervise provided by law, is fixed as fol-

tion to provide an exception in the case of the first officers, and permit the Legislature to fix it in accordance with The last legislature attempted to "otherwise provide by law" and in-creased the state officers' salaries and appropriated funds therefor, These are The Chair: "That is not before the committee any way." id. about the facts as I understand them, and not wishing nor intending to give Mr. Maloney, another sound lawyer, my views as to the constitutionality deep-dyed Democrat, said: "I say the whole matter ought to be fixed as low of the act of the legislature, I present the foregoing to the readers of your as possible, then let the Legislature fix paper that they may have before them the salaries." Page 1031, Proc. Con. the whole case. I will state, however, in closing, that there is not a state officer in Utah, who has any intention to "grab salary" unlawfully. Truly
M. A. BREEDEN. tendent of public instruction, Mr. Farr said, among other things: "I think one

E. H. REID GETS A HABEAS CORPUS.

Judge Hallet Grants It-Made Returnable Saturday-Case May be Carried to the United States Supreme Court.

Denver, Colo., June 27. Judge Hallett, | of the National Live Stock association in Denver, charged with illegally bringof the United States district court, today ng twenty-seven cars of cattle into granted a writ of habeas corpus in the the state of Colorado without paying case of Edward H. Reid, a cattle shipthe inspection Tee demanded by per of Omaha, who was convicted in the district court of Arapahoe county yesterday of having violated the Colorado statutes by shipping cattle into this they have a clean bill of health granted their cattle by the federal authorities state from Texas without having a signed bill of health from a cattle inspector and was sentenced to six statutes on the contrary notwithstandmonths' imprisonment in the county | ing. The stock men have been held up by jail. Reid refused to pay a state inspection fee after having received a clean bill of health from the federal inspector, in order to enable the National Live Stock association to test the validity of the Colorado law requiring the inspection of cattle shipped through the Messrs. Talbot and Denison, on behalf of the association, made the appelication to the United States district court today for a writ of habeas corpus for Reid. Attorney General Post ap-peared on behalf of the state. The writ was made returnable on Saturday next at 10 o'clock. Should the United States district court sustain the decision of the state court, the National Live Stock association will appeal the case to the

state, of two cents per head. The live stock men of the United States have determined to test the constitutionality of this Colorado law, insisting where this should entitle their cattle to go into any state of the Union, the state these state boards of inspection, called, for years and for years and of thousands of of lars annually have been taken from the stock raisers and we now propose to have it stopped. An appli-cation will be made today to Judge Hallett, of the United States district ourt, for Mr. Reid's release on a writ of habens corpus. Should the court eny this writ, an appeal will at once taken to the Supreme Court of the United States, and we expect a decision in a very short time. This case will be watched with intense interest by every live stock man in the United states; and the officers of the National Live Stock association have been assured from all quarters of the country of the unanimous support of the live stock interests in settling, once for all, the question as to whether federal nspection does not supersede state in-

'We raised a great question," said President Springer, "and of much more far reaching importance than appears. The Live Stock association in this case has the support of all the great live stock organizations of the country." Hon. Ralph Talbot, of Denver, is the Colorado counsel of the National Live Stock association, and he will be asthe following statement:

"Mr. Ed. H. Reid, of the Platte Commission company of Omaha, was arrested on the 26th of June, in the office

Stock association, and he will be associated in the Supreme Court of the United States by Judge Wm. N. Springer, the local counsel of the association in Washington.